



STATE OF MICHIGAN
JOCELYN BENSON, SECRETARY OF STATE
DEPARTMENT OF STATE
LANSING

January 3, 2020

NOTICE OF FILING

ADMINISTRATIVE RULES

To: Secretary of the Senate
Clerk of the House of Representatives
Joint Committee on Administrative Rules
Michigan Office of Administrative Hearings and Rules (Administrative Rules #19-120-HS)
Legislative Service Bureau (Secretary of State Filing #20-01-03)
Department of Health and Human Services

In accordance with the requirements of Section 46 of Act No. 306 of the Public Acts of 1969, being MCL 24.246, and paragraph 16 of Executive Order 1995-6, this is to advise you that the Michigan Office of Administrative Hearings and Rules filed Administrative Rule #2019-120-HS (Secretary of State Filing #20-01-03) on this date at 2:44 P.M. for the Department of Health and Human Services entitled, "Foster Family Homes and Foster Family Group Homes."

These rules take effect immediately upon filing with the Secretary of State unless adopted under section 33, 44, or 45a(6) of the administrative procedures act of 1969, 1969 PA 306, MCL 24.233, 24.244, or 24.245a. Rules adopted under these sections become effective 7 days after filing with the Secretary of State.

Sincerely,

Jocelyn Benson
Secretary of State

Melissa Malerman / CK

Melissa Malerman, Departmental Supervisor
Office of the Great Seal

Enclosure



Since 1941

Legal Division

Kevin H. Studebaker, Director

CERTIFICATE OF APPROVAL

On behalf of the Legislative Service Bureau, and as required by section 45 of the Administrative Procedures Act of 1969, 1969 PA 306, MCL 24.245, I have examined the attached proposed rule of the Department of Health and Human Services, dated November 27, 2019, amending R 400.9415 of the Department's rules entitled "Foster Family Homes and Foster Family Group Homes." I approve the rule as to form, classification, and arrangement.

Pursuant to section 44(1) of 1969 PA 306, being MCL 24.244(1), this rule is being processed without a public hearing.

Dated: December 11, 2019

LEGISLATIVE SERVICE BUREAU

By Elizabeth R. Edberg
Elizabeth R. Edberg,
Legal Counsel

DEPARTMENT OF HEALTH AND HUMAN SERVICES

CHILDREN'S SERVICES AGENCY

FOSTER FAMILY HOMES
AND
FOSTER FAMILY GROUP HOMES

Filed with the secretary of state on

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(By authority conferred on the director of the department of health and human services by sections 2, 5, 10, and 14 of 1973 PA 116, MCL 722.112, 722.115, 722.120, and 722.124, and Executive Reorganization Order No. 2015-1, MCL 400.227.)

R 400.9415 of the Michigan Administrative Code is amended as follows:

R 400.9415 Hazardous materials and firearm storage.

Rule 415. (1) Federal standards for a foster family or group home include specific safety requirements for weapons, pools, hot tubs, and spas, as these pose a particular preventable danger to children.

(2) Dangerous equipment and objects, weapons, chemicals, medications, poisonous materials, cleaning supplies, and other hazardous materials that may present a risk to children placed in the foster home must be stored securely and out of the reach of children, as appropriate for the age and functioning level of the children.

(3) Unless carried in the home as permitted by law, firearms and ammunition must be stored as follows:

(a) Firearms must be all of the following:

(i) Locked in compliance with 1 of the following:

(A) By a cable-lock.

(B) By a trigger-lock.

(C) In a gun safe.

(D) In a solid metal gun case.

(E) In a solid wood gun case.

(ii) Unloaded.

(iii) Separate from ammunition.

(iv) Inaccessible to children.

(b) Ammunition must be stored in a locked location and inaccessible to children.

FILED WITH SECRETARY OF STATE

ON 1/3/20 AT 2:44 P.M.

LEGISLATIVE SERVICE BUREAU
1-3-20 2:44 PM
LEGISLATIVE SERVICE BUREAU

THE STATE OF ALABAMA
SECRETARY OF STATE